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**FILED**

AUG 13 2012

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SALINAS DIVISION  
13 UNITED STATES OF AMERICA, ) Criminal No.: CR-12-00166 HRL  
14 Plaintiff, )  
15 vs. *Sanchez* ) SECOND STIPULATION AND  
16 MARIA D. ORTEGA SANCHEEZ, ) [PROPOSED] ORDER EXCLUDING TIME  
17 Defendant. )  
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19 On August 6, 2012, the parties in this case appeared before the Court for a status hearing.  
20 The parties jointly requested that the case be continued from August 6, 2012, until October 1,  
21 2012 at 9:30 a.m., in order to allow counsel reasonable time necessary for effective preparation.  
22 In addition, the parties requested an exclusion of time under the Speedy Trial Act, from August  
23 6, 2012 to October 1, 2012 at 9:30 a.m. The parties agree and stipulate that an exclusion of time  
24 is appropriate based on the defendant's need for effective preparation of counsel.

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SECOND STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME  
CASE NO: CR-12-00166 HRL

1 SO STIPULATED: MELINDA HAAG  
2 United States Attorney

3 DATED: August 10, 2012 /S/  
4 AUTUMN R. PORTER  
5 Special Assistant United States Attorney

6 DATED: /S/  
7 MANUEL ARAUJO  
8 Counsel for the Defendant

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10 ORDER

11 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded  
12 under the Speedy Trial Act from August 6, 2012 to October 1, 2012. The Court finds, based on  
13 the aforementioned reasons, that the ends of justice are served by granting the requested  
14 continuance and outweigh the best interest of the public and the defendant in a speedy trial. The  
15 failure to grant the requested continuance would deny the parties reasonable time necessary for  
16 effective preparation, taking into account the exercise of due diligence, and would result in a  
17 miscarriage of justice. The Court therefore concludes that this exclusion of time should be made  
18 under 18 U.S.C. § 3161(h)(8)(A) and (B)(iv).

19 SO ORDERED.

20 DATED: 8/13/12

21 HOWARD R. LLOYD  
United States Magistrate Judge

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SECOND STIPULATION AND [PROPOSED] ORDER EXCLUDING TIME  
CASE NO: CR-12-00166 HRL